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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/714,190	11/17/2000	Xiaoan Hou	196033US28	5420
22850	7590	05/21/2004	EXAMINER PARK, CHAN S	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			ART UNIT 2622	
			PAPER NUMBER	

DATE MAILED: 05/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/714,190

Applicant(s)

HOU, XIAOAN

Examiner

CHAN S PARK

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

John L. Twyle
TWYLE
PATENT EXAMINER

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 5-11, 14-17, and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yashiki U.S. Patent No. 6,512,593 in view of Reifman et al. U.S. Patent No. 5,917,615.

1. With respect to claim 1, Yashiki discloses a method for transmitting a facsimile, comprising the steps of:

creating an image (col. 6, lines 28-30);

inputting parameters of a fax machine (col. 5, lines 51-57; col. 6, lines 26-27 & fig. 5);

forming an electronic mail address, which includes the parameters of the fax machine (fig. 5);

generating a fax request as an electronic mail message, the electronic mail message including the electronic mail address and the image (col. 6, lines 33-37); and

transmitting the electronic mail message to the fax machine (fig. 1).

Yashiki does not disclose expressly that the parameters of the fax machine are inputted to a graphical user interface of a general purpose computer.

Reifman discloses a method for transmitting a facsimile, comprising the steps of:

creating an image (col. 21, lines 33-63 & fig. 16);

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inputting parameters of a fax machine to a graphical user interface of a general purpose computer (figs. 6-10); and

transmitting the image to the fax machine (fig. 11).

Yashiki and Reifman are analogous art because they are from the same field of endeavor that is the facsimile art.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the graphical user interface of Reifman into the Internet facsimile of Yashiki.

The suggestion/motivation for doing so would have been to provide a more user friendly and convenient interface setting as it is widely used in a multifunctional image processing peripheral.

Therefore, it would have been obvious to combine Yashiki with Reifman to obtain the invention as specified in claim 1.

2. With respect to claim 2, Yashiki discloses further comprising the steps of:
receiving the electronic mail message by the fax machine;
analyzing the electronic mail message to determine a fax number of a second fax machine; and

transferring the image from the fax machine to the fax number of the second fax machine (col. 7, lines 3-6).

3. With respect to claim 5, Yashiki discloses the transmitting step comprises transmitting the electronic mail message to the fax machine through the Internet (fig. 1).

4. With respect to claim 6, Reifman discloses a step of selecting the image from a list of images (figs. 13 & 14).

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5. With respect to claim 7, Yashiki discloses the creating step comprises creating the image in TIFF format (col. 6, lines 33-37).

6. With respect to claim 8, Yashiki discloses a computer program product including a computer readable medium for transmitting a facsimile, comprising:

an image creating code configured to create an image to be transmitted through the Internet (col. 6, lines 28-30);

a parameter inputting code configured to input parameters of a fax machine to which the image will be transmitted (col. 5, lines 51-57; col. 6, lines 26-27 & fig. 5); and

a fax request generating code configured to generate a fax request as an electronic mail message including the image and send the fax request to the fax machine (col. 6, lines 33-37).

Yashiki does not disclose expressly a graphical user interface configured to allow a user to input parameter of a fax machine to which the image will be transmitted.

Reifman discloses a computer program product including a computer readable medium for transmitting a facsimile including a graphical user interface configured to allow a user to input parameter of a fax machine to which the image will be transmitted (figs. 6-10).

Yashiki and Reifman are analogous art because they are from the same field of endeavor that is the facsimile art.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the graphical user interface of Reifman into the Internet facsimile of Yashiki.

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The suggestion/motivation for doing so would have been to provide a more user friendly and convenient interface setting as it is widely used in a multifunctional image processing peripheral.

Therefore, it would have been obvious to combine Yashiki with Reifman to obtain the invention as specified in claim 8.

7. With respect to claim 9, Reifman discloses the computer program product further comprising an image selecting code configured to allow the user to select the image from a list of images (figs. 13 & 14).

8. With respect to claim 10, Yashiki discloses the image creating code for creating the image in TIFF format (col. 6, lines 33-37).

9. With respect to claim 11, Yashiki and Reifman discloses the graphical user interface comprises:

a control window configured to input parameters of the fax machine (col. 5, lines 51-57; col. 6, lines 26-27 & fig. 5 of Yashiki and figs. 6-10 of Reifman);

a setting window configured to input the parameters of the fax machine and mail parameters in order to generate a fax request as an electronic mail message (col. 5, lines 51-57; col. 6, lines 26-27 & fig. 5 of Yashiki); and

a print window configured to select a driver to create an image (fig. 77 & col. 8, lines 51-60).

10. With respect to claim 14, Yashiki discloses that the image is printed at the fax machine (route A in fig. 1).

11. With respect to claim 15, Yashiki discloses that the image is printed at the second fax machine (route B or C in fig. 1).

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12. With respect to claim 16, arguments analogous to those presented for claims 1 and 8, are applicable.
13. With respect to claim 17, arguments analogous to those presented for claim 2, are applicable.
14. With respect to claim 20, arguments analogous to those presented for claim 5, are applicable.
15. With respect to claim 21, arguments analogous to those presented for claim 6, are applicable.
16. With respect to claim 22, arguments analogous to those presented for claim 7, are applicable.
17. With respect to claim 23, arguments analogous to those presented for claims 1 and 8, are applicable.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Yashiki and Reifman as applied to claims 1 and 2 above, and further in view of Toyoda U.S. Patent No. 6,441,916.

18. With respect to claims 3 and 4, the combination of Yashiki and Reifman discloses the forming step comprises:

forming the electronic mail address to include an Internet electronic mail address of the fax machine, a fax number of the fax machine, and a fax number of the second fax machine (fig. 5 and col. 6, line 59 – col. 7, line 13 of Yashiki).

The combination does not disclose expressly that the electronic mail address includes a password of the fax machine.

Toyoda discloses a method for transmitting a facsimile, comprising the steps of:

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creating an image (col. 3, lines 31-39);

inputting parameters of a fax machine (col. 3, lines 49-56); and

transmitting the image to the fax machine (col. 3, lines 49-56).

Additionally, Toyoda discloses that the electronic mail address includes a password of the fax machine (col. 3, lines 49-56).

Yashiki, Reifman and Toyoda are analogous art because they are from the same field of endeavor that is the facsimile art.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the password system of Toyoda into the combined Internet facsimile machine of Yashiki and Reifman.

The suggestion/motivation for doing so would have been to prevent an unauthorized user from sending or accessing the facsimile machine.

Therefore, it would have been obvious to combine all three references to obtain the invention as specified in claims 3 and 4.

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Yashiki and Reifman as applied to claim 8 above, and further in view of Toyoda.

19. With respect to claims 12 and 13, arguments analogous to those presented for claims 3 and 4, are applicable.

Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Yashiki and Reifman as applied to claims 16 and 17 above, and further in view of Toyoda.

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20. With respect to claims 16 and 17, arguments analogous to those presented for claims 3 and 4, are applicable.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Yashiki and Reifman as applied to claim 23 above, and further in view of Toyoda.

21. With respect to claim 24, the combination of Yashiki and Reifman discloses the fax parameters comprising fax document information and receiver information (col. 6, line 65 – col. 7, line 6 of Yashiki).

The combination does not disclose expressly that the fax parameter includes sender information.

Toyoda discloses fax parameter including fax document information, receiver information, and sender information (col. 4, lines 19-34). Toyoda includes the sender information so when there is an error, the system automatically sends back the reply error message to the sender.

Yashiki, Reifman and Toyoda are analogous art because they are from the same field of endeavor that is the facsimile art.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the method of sending the sender information of Toyoda into the Internet facsimile system of Yashiki and Reifman.

The suggestion/motivation for doing so would have been to notify the sender with a message when an error occurs in the facsimile.

Therefore, it would have been obvious to combine all three references to obtain the invention as specified in claim 24.

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Conclusion


22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S PARK whose telephone number is (703) 305-2448. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chan S. Park
Examiner
Art Unit 2622

csp
May 12, 2004


TWYLER LAMB
PATENT EXAMINER